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Ethics Briefing  
for  
Special Government Employees  
Serving on  
NASA Advisory Committees

# Service on NASA Advisory Committees

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- Appointment as Special Government Employee (SGE)
- Defined at 18 U.S.C. 202(a)
  - Anyone who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, for a period not to exceed 130 days out of any 365 days
  - Includes advisory committees

# SGE Ethics Rules

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- Ethics Principles:
  - Public service is a public trust
  - May not have conflicting financial interests
  - May not improperly use nonpublic information
  - Avoid even the appearance of impropriety
- Status as SGE
  - Equivalent to being an insider
  - Subject to civil service ethics rules
  - Subject to post-employment restrictions

# Representational Conflicts

## 18 U.S.C 203 & 205

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- Prohibits representational activities before the Government
- Applies to SGEs only if:
  - Matter involves parties (e.g., contracts)
  - SGE was personally and substantially involved in the particular matter as part of Government service, or
  - SGE served more than 60 days in the previous 365, and matter is pending before the same agency

# Financial Conflicts

## 18 U.S.C. 208

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- Prohibits involvement in a particular matter in which the SGE, employer, or spouse or dependent child has a financial interest:
  - An employee is disqualified
  - from participating personally and substantially
  - in any particular matter in which
  - the employee, or anyone whose interests are imputed to the employee, has a financial interest,
  - if the particular matter will have a direct and predictable effect on that interest.

# Post-Employment Restrictions

## 18 U.S.C. 207

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- Permanently prohibits a former employee
- from making, with intent to influence, any communication to the United States,
- on behalf of any other person
- in connection with a particular matter in which the United States is a party or has a substantial interest,
- if the employee was personally and substantially involved in the matter.

# Standards of Conduct

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- Gift Rules

- Anything having monetary value
- Prohibited Sources
- Official Position

- Exceptions

- Outside business activities
- Personal relationships
- \$20/\$50 rule

# NASA Ethics Officials

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- Michael C. Wholley, General Counsel
  - Designated Agency Ethics Official
- John G. Mannix, Deputy General Counsel
  - Deputy Ethics Official
- R. Andrew Falcon, GG/Senior Attorney
  - Deputy Ethics Official
  - (202) 358-2082, [rfalcon@hq.nasa.gov](mailto:rfalcon@hq.nasa.gov)
- All NASA Center Chief Counsel
  - Deputy Ethics Officials